



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105

JUN 03 2016

Certified Mail

Return Receipt Requested

Receipt No: 7009 2820 0001 8697 4171

Date:

Douglas Campbell
2000 Alberta Ave Apt 13
Venice, CA 90291-4583

LETTER OF ADVISEMENT

Reference Number: F-ADL-16-4

Dear Mr. Campbell:

It has been brought to the attention of the United States Environmental Protection Agency (U.S. EPA) that your company may be selling "chlorine-free pool systems". This product may be in violation of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The product website for "chlorine-free pool systems" indicates that this product uses "copper/silver ion drinking water technology" to reduce "algae, fungus, mold, viruses, and bacteria" in pool water. The product website also makes claims such as "SAFE and EFFECTIVE" and "Make your Swimming Pool/Spa Safer and Healthier with LESS Chemicals".

Section 2(u)(1) of FIFRA states: "A pesticide is any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest." Section 2(t)(2) of FIFRA defines the word "pest" to include: insects, rodents, fungus, terrestrial or aquatic plants, bacteria, other micro-organisms, etc. On September 21, 2007, EPA published a notice in Federal Register Vol. 72, No. 183, available online at <https://www.gpo.gov/fdsys/pkg/FR-2007-09-21/pdf/E7-18591.pdf>. The notice covers "...ion generators that incorporate a substance (e.g., silver or copper) in the form of an electrode...to release ions of that substance for the purpose of preventing, destroying, repelling, or mitigating a pest..." It states that "such items are considered pesticides for purposes of FIFRA, and must be registered prior to sale or distribution." It is a violation of Section 12(a)(1)(A) to sell and/or distribute any pesticide not registered under FIFRA. Since your product appears to be a pesticide, your company may be subject to penalties of not more than \$7,500 for each individual offense (Section 14(a)(1)).

Section 2(q)(1)(A) of FIFRA states that a pesticide is misbranded if "its labeling bears

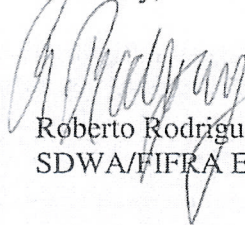
any statement...that is false or misleading in any particular." Specifically, 40 CFR 156.10(a)(5) states that "claims as to the safety of the pesticide or its ingredients" and "comparative statements on the safety of the product" are types of statements which constitute misbranding. Section 12(a)(1)(E) of FIFRA provides that it is unlawful to distribute or sell any pesticide which is misbranded. Sales and distributions of misbranded pesticides may be subject to penalties of not more than \$7,500 for each individual offense.

Your company may also be selling "Aller Air HEPA/Odor Air Cleaner". This product may also be in violation of FIFRA. The website for this product says that it is a "filter for dust, mold, spores, animal dander, smoke, pollen, dust mites, bacteria, and viruses." Section 2(h) of FIFRA defines "device" as "any instrument or contrivance...which is intended for trapping, destroying; repelling, or mitigating any pest..." 40 CFR Section 167.20 states that "Any [site where a pesticidal product, active ingredient or device is produced] must be registered with the Agency.

You are hereby requested to take all necessary actions to ensure that **ALL** of your products which would be considered pesticides or devices, as well as any facilities where pesticides or devices are produced, are in compliance with FIFRA and its implementing regulations. You can find additional information concerning pesticide registration and Federal pesticide laws at <http://www2.epa.gov/pesticide-registration>. For information on how to register products, please visit <http://www2.epa.gov/pesticide-registration/pesticide-registration-manual>. For information on how to register establishments where pesticidal products or devices are produced, please visit <https://www.epa.gov/compliance/pesticide-establishment-registration-and-reporting>.

If you any questions regarding this LETTER OF ADVISEMENT, please feel free to contact Panah Stauffer at (415) 972-3247.

Sincerely,



Roberto Rodriguez, Manager
SDWA/FIFRA Enforcement Office

eCC: California Department of Pesticide Regulation

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Campbell Environmental Systems
520 Washington Blvd. # 607
Marina Del Rey, CA 90292

2. Article Number
(Transfer from service label)

7009.2820.0001.8697.4119

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Campbell Environmental Systems
13246 Fiji Way
Marina Del Rey, CA 90292



9590 9403 0886 5223 5038 63

2. Article Number (Transfer from service label)

7015 1520 0000 9141 9542

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

EPA MAIL ROOM ☐ Agent ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

MAY 25 2016

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type

☐ Adult Signature

☐ Priority Mail Express®

☐ Adult Signature Restricted Delivery

☐ Registered Mail™

☒ Certified Mail®

☐ Registered Mail Restricted Delivery

☐ Certified Mail Restricted Delivery

☐ Return Receipt for Merchandise

☐ Collect on Delivery

☐ Signature Confirmation™

☐ Collect on Delivery Restricted Delivery

☐ Signature Confirmation Restricted Delivery

Mail

Mail Restricted Delivery

(00)

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

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Receipt No:

7009 2820 0001 8697 4119

Date: MAR 18 2016

Campbell Environmental Systems
520 Washington Blvd. #607
Marina Del Rey, CA 90292

LETTER OF ADVISEMENT
Reference Number: F-ADL-16-4

Dear Campbell Environmental Systems:

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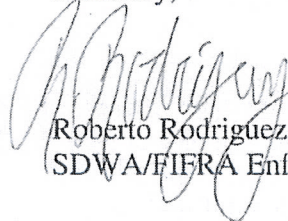
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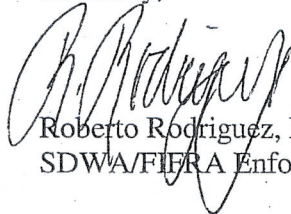
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